

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of PATRICK TORINO CRAWLEY  
and PATRICE MARIE CRAWLEY, Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

VINCENT CRAWLEY,

Respondent-Appellant,

and

TRACY SWAN,

Respondent.

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In the Matter of PATRICK TORINO CRAWLEY  
and PATRICE MARIE CRAWLEY, Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

TRACY SWAN,

Respondent-Appellant,

and

VINCENT CRAWLEY,

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UNPUBLISHED  
June 14, 2005

No. 257464  
Wayne Circuit Court  
Family Division  
LC No. 93-307199

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Before: Bandstra, P.J., and Fitzgerald and Meter, JJ.

PER CURIAM.

In these consolidated appeals, respondents appeal as of right from the trial court's order terminating their parental rights to the minor children under MCL 712A.19b(3)(i), (j) and (l). We affirm.

In order to terminate parental rights, the trial court must find that at least one of the statutory grounds for termination has been established by clear and convincing evidence. *In re Trejo*, 462 Mich 341, 355; 612 NW2d 407 (2000). This Court reviews that finding under the clearly erroneous standard. MCR 3.977(J).

The trial court did not clearly err when it terminated respondent-mother's parental rights under MCL 712A.19b(3)(i) because there was clear and convincing evidence that her parental rights were previously terminated to several other children due to her failure to protect them from physical abuse. Moreover, the record demonstrated that prior attempts to rehabilitate respondent-mother had been unsuccessful. Indeed, at the time the premature twins at issue in these appeals were born, respondent-mother had marijuana in her system. Further, respondent neglected to obtain prenatal care during her pregnancy with the twins, who are special needs children. Respondent-mother has also continued her pattern of entering into relationships with and having children by men with histories of domestic violence and criminal convictions. Respondent-father, in this case, had a history of domestic violence and multiple criminal convictions. This evidence amply demonstrates that respondent-mother has not been rehabilitated so as to enable her to adequately care for and protect her special needs twins. This same evidence is similarly sufficient to establish a reasonable likelihood that the minor children, with their medical conditions, would be harmed if returned to respondent-mother's care. Therefore, termination of respondent-mother's parental rights under MCL 712A.19b(3)(j) was also warranted.

Similarly, respondent-father's parental rights were properly terminated under MCL 712A.19b(3)(j). Although the lower court record provided to this Court is sparse, it does reflect that respondent-father had a significant mental illness for which he was not receiving treatment. In 2000, respondent-father was admitted to a psychiatric hospital with a diagnosis of schizophrenia. He was discharged with instructions to take prescribed medication. Respondent-father, however, admitted he had not taken psychiatric medications in years. Although respondent-father was provided oral referrals to Community Mental Health, there is no evidence that he followed up on these referrals. Further, respondent-father had a history of domestic violence and other criminal convictions. In addition, there is no indication that respondent-father attempted to persuade respondent-mother to seek prenatal care or that he did anything to prevent her from using drugs during her pregnancy. There is no evidence that respondent-father took any efforts to attend to his own medical issues or those of his wife and unborn children. Considering that these twins have medical conditions requiring diligent care, the trial court did not err by concluding the children would be harmed if placed in respondent-father's care.

Additionally, the trial court did not err when it terminated both respondents' parental rights under MCL 712A.19b(3)(l). The record reveals that, before this action, both parents had

parental rights to other children terminated. Thus, the grounds for termination under section 19b(3)(l) were established by clear and convincing evidence.

Finally, the evidence did not show that termination was not in the minor children's best interests. MCL 712A.19b(5). Once the trial court finds at least one statutory ground for termination by clear and convincing evidence, the court must order termination of parental rights unless the court finds that termination is clearly not in the child's best interests. MCL 712A.19b(5); *Trejo, supra* 354. The trial court's decision regarding a child's best interests is reviewed for clear error. *Trejo, supra* at 356-357. Respondents have failed to identify any factor that is so persuasive that one would be compelled to ignore the existence of the grounds for termination. Because of their medical issues, these two children need to be in a stable environment where their physical conditions can be monitored closely. This is particularly true with Patrick, who could suffocate on his own secretions if he were not properly monitored.<sup>1</sup>

Affirmed.

/s/ Richard A. Bandstra  
/s/ E. Thomas Fitzgerald  
/s/ Patrick M. Meter

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<sup>1</sup> We note that respondent-father's claim that the trial court erroneously failed to ensure compliance with the requirements of MCR 3.965(e) (regarding the preparation of an initial service plan) is not supported by the record.